

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 Plaintiff,) 8:01CR219
)
)
 v.)
)
)
ELIJAH H. HARRIS, III,) ORDER
)
 Defendant.)
)

This matter is before the Court on defendant's motion for modification of imposed term of imprisonment (18 U.S.C. § 382(C)(1)(B) (Filing No. 246), defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3592(c)(2) (Filing No. 255), and the stipulation of the parties (Filing No. 256). Pursuant to the retroactive amendment to the crack cocaine guidelines, the defendant's final offense level is reduced from 37 to 33. His criminal history category remains at V. The government and defense agree that his sentence should be reduced to two hundred ten (210) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

1) The motions for sentence reduction are granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to two hundred ten (210) months. Defendant shall receive credit for all time served.

2) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 19th day of July, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court